

The Origins of the Husting and the Folkmoot

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London has always been a special case among the towns and cities of England, not least for its peculiar institutions. The ancient core of the modern metropolis, the financial district known as ‘the City’ or ‘the Square Mile’, is still run by a unique set of administrative and legal organs with a long history behind them. When its municipal governance first becomes clearly visible in the central Middle Ages, London was already highly unusual in having two principal forums in which its citizens assembled and heard disputes: the Court of Husting and the Folkmoot.

What follows is a new case for why London possessed such an idiosyncratic constitution. It locates the roots of this arrangement in the generations following the walled city’s resettlement in the late ninth century, when London gained a stronger collective identity. Before the ninth century, the area within the Roman city walls was lightly inhabited and given over to elite, and ecclesiastical uses, while the bulk of London’s population and commercial activity could be found outside the walls in a settlement along the Strand known to scholarship as *Lundenwic*.¹ The ninth century brought significant changes to this organisation of the settlement. *Lundenwic* became more strung out and its centre gravitated eastwards towards the city.² By the time of Alfred the Great (871–99), under pressure of

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¹ R. Naismith, *Citadel of the Saxons: the Rise of Early London* (London, 2018), pp. 72–104; Alan Vince, *Saxon London: an Archaeological Investigation* (London, 1989), pp. 13–25; R. Cowie and L. Blackmore *et al.*, *Lundenwic: Excavations in Middle Saxon London, 1987–2000* (London, 2012).

² J. Blair, *Building Anglo-Saxon England* (Princeton, 2018), pp. 254–5 and 270–1; Naismith, *Citadel*, pp. 102–4.

viking raids that started in the 840s, London's population was concentrated within the old Roman walls of the city. A campaign of redevelopment began under the patronage of the king and other powerful figures from across England: new streets were laid out and built up, and by the 890s the Londoners constituted an important element in the fight against the vikings.³ This on-going process of development peaked in 886 when the *Anglo-Saxon Chronicle* recorded how Alfred 'restored' (*gesette*) London, and it served as the venue for a ceremonial submission to him of all the English who were not under viking rule.⁴ Alfred's decision to combine these actions reflects London's frontier position between Mercian and West Saxon (and indeed viking) territory, as well as the city's prestige.

London entered the tenth century as a more assertive force in southeast England than it had been before Alfred's patronage had started, and it is at this point that its internal organisation is first recorded, in the form of a set of precocious, locally driven communal

³ D. Keene, 'Alfred and London', in T. Reuter (ed.), *Alfred the Great: Papers from the Eleventh-Centenary Conferences* (Aldershot, 2003), pp. 236–49; J. Ayre and R. Wroe-Brown, 'The Post-Roman Foreshore and the Origins of the Late Anglo-Saxon Waterfront and Dock of Æthelred's Hithe: Excavations at Bull Wharf, City of London', *Archaeological Journal*, 172 (2015), pp. 121–94; Naismith, *Citadel*, pp. 105–24. A more rapid process of development is proposed in J. Haslam, 'The Development of London by King Alfred: a Reassessment', *Transactions of the London and Middlesex Archaeological Society*, 60 (2009), pp. 109–45.

⁴ *Anglo-Saxon Chronicle* 886 (*English Historical Documents*, vol. 1: c. 500–1042, ed. D. Whitelock, 2nd ed. (London, 1979), p. 199). The eight main *Chronicle* texts are (as in this case) often uniform until the 890s; where necessary in subsequent references individual manuscripts are referred to using the conventional letters A–H. The Old English texts is best consulted in *The Anglo-Saxon Chronicle: a Collaborative Edition*, gen. ed. D. N. Dumville and S. Keynes, 9 vols. (Woodbridge, 1983–2004). For 886, see also Asser, *De rebus gestis Ælfredi*, c. 83, who describes how Alfred 'restored (*restauravit*) the city of London splendidly ... and made it habitable (*habitabilem*) again' (*Asser's Life of King Alfred, together with the Annals of Saint Neots Erroneously Ascribed to Asser*, ed. W. H. Stevenson (Oxford, 1959), p. 69; *Alfred the Great: Asser's Life of King Alfred and Other Contemporary Sources*, trans. S. Keynes and M. Lapidge (Harmondsworth, 1983), pp. 97–8).

entities revolving around the ‘peace-gild(s)’ (*friðgegyld*) of all those ‘who belong to London’ (*þe to Lundenbyrig hyrað*). The ‘peace-gild’ is known from a legal composition put together for the approval of King Æthelstan (924–39), as London’s response to a recent burst of legislative activity.⁵ This document does not use the terms Folkmoot or Husting: these labels could have been coined some time later, or been avoided in favour of more general, function-based terminology.⁶ Indeed, the institutions of VI Æthelstan for safeguarding London are never heard from again after Æthelstan’s reign. But it is arguable that the structures within the ‘peace-gild’ represent a pioneering and less formal – if still formative – ancestor of London’s later urban government, forged in challenging conditions that gave rise to a desire for collective protection.

THE EARLY HISTORY OF THE FOLKMOOT AND THE HUSTING

In the twelfth and early thirteenth centuries, London’s two major governing institutions served distinct functions described in a series of charters, customals and laws that codified the city’s infrastructure and privileges.⁷ The Folkmoot was an assembly of the free population

⁵ VI Æthelstan, c. 8.9 (*Die Gesetze der angelsachsen*, ed. F. Liebermann, 3 vols. (Halle, 1903–16), I, p. 175; *The Laws of the Earliest English Kings*, ed. and trans. F. L. Attenborough (Cambridge, 1922), pp. 158–9). Cf. L. Roach, ‘Law Codes and Legal Norms in Later Anglo-Saxon England’, *Historical Research*, 86 (2013), pp. 466–85, at pp. 474–5; D. Pratt, ‘Written Law and Communication of Authority in Tenth-Century England’, in C. Leyser, D. Rollason and H. Williams (eds), *England and the Continent in the Tenth Century: Studies in Honour of Wilhelm Levison* (Turnhout, 2010), pp. 331–50, at p. 347; and below, pp. XXX.

⁶ P. Nightingale, ‘The Origin of the Court of Husting and Danish Influence on London’s Development into a Capital City’, *English Historical Review*, 102 (1987), pp. 559–78, at p. 562. See also below, pp. XXX.

⁷ C. N. L. Brooke, G. Keir and S. Reynolds, ‘Henry I’s Charter for the City of London’, *Journal of the Society of Archivists*, 4/7 (1973), pp. 558–78, at p. 576; *Borough Customs*, ed. M. Bateson, 2 vols. (London, 1904–6), II, pp. 50–1; M. Weinbaum, *London unter Eduard I. und II.: verfassungs- und wirtschaftsgeschichtliche Studien*, 2 vols. (Stuttgart, 1933), II, pp. 38–9; *Gesetze*, ed. Liebermann, I, pp. 656–7.

as a whole. It met beside St Paul's Cathedral three times a year at midsummer, Michaelmas and Christmas. In the early thirteenth century these three assemblies dealt (respectively) with the prevention of fire, the election of the new sheriff and the security and organisation of the city's wards.⁸ At one time the Folkmoot may have been an effective institution and a venue for asserting the city's solidarity, but is generally thought to have been something of an archaism at the time of its first appearance in surviving texts. London's swift growth meant that it was increasingly impractical to gather all the population in one assembly, let alone conduct the city's business in a meaningful way.⁹ The much smaller Court of Husting, in consequence, consolidated its position as the principal judicial entity in the city.¹⁰ Composed of leading citizens, such as aldermen of the wards and, after the 1190s, the mayor, it dealt with important business at weekly meetings. One of the first detailed records of its activities shows the Husting as the venue for the sale of land in London from Wulnoth of Walbrook to the abbot of Ramsey in Cambridgeshire at some point between 1113 and 1131. This transaction took place 'before the whole Husting of London' (*coram omni hustingo de Lundonia*), which met in the house of one Alfwin son of Leofstan, and its witnesses were said to be acting 'on behalf of the Husting' (*ex parte hustangi*).¹¹

⁸ M. Bateson, 'A London Municipal Collection of the Reign of John', *English Historical Review*, 17 (1902), pp. 480–511, pp. 502–3. On wards, see below, pp. XXX.

⁹ J. Hudson, *The Oxford History of the Laws of England. Volume II: 871–1216* (Oxford, 2012), pp. 818–19; G. A. Williams, *Medieval London from Commune to Capital* (London, 1963), pp. 35–6; S. Reynolds, *An Introduction to the History of English Medieval Towns* (Oxford, 1977), pp. 94 and 119. Tellingly, it was briefly revived as a major judicial and administrative entity by a populist faction which took power in London during the 1260s (Williams, *Medieval London*, p. 222).

¹⁰ Williams, *Medieval London*, pp. 26–7 and 82–4; C. N. L. Brooke and G. Keir, *London, 800–1216: the Shaping of a City* (London, 1975), pp. 249–51.

¹¹ *English Lawsuits from William I to Richard I*, ed. R. C. van Caenegem, 2 vols. (London, 1990–1), no. 270. The relevant text was preserved at Ramsey.

The names of these two bodies provide a point of entry into their earlier history. ‘Folkmoot’ is a relic of very many *folcgemot* which once met across England. This is an Old English word usually translated as ‘public meeting’ or ‘public assembly’. It could denote any kind or scale of gathering, and is encountered frequently in legislation and other texts from the ninth century onwards.¹² London’s general assembly is the only case of what had been quite a generic term becoming tied to a specific body.¹³ The Husting is more complicated. Pamela Nightingale has constructed an elegant case for the Scandinavian associations of the Husting, founded on the premise that its name stems from Old Norse *húsping* (‘meeting in or associated with a house’) or possibly *húskarlaping* (‘meeting of the housecarls’). The presence in London after 1012 of Scandinavian mercenaries or *liðsmen* provides a plausible context for this Old Norse input.¹⁴ Moreover, the principal recension of the *Anglo-Saxon Chronicle* for the time of Æthelred II (978–1016) used *husting* to describe the gathering of drunken and violent viking warriors who slew Archbishop Ælfheah at Greenwich in April

¹² For a selection of occurrences, see Alfred, c. 22, 34 and 38.1 (ed. Liebermann, I, pp. 34–5 and 38–41; ed. and trans. Attenborough, pp. 74–5 and 78–9); II Æthelstan, c. 2 (ed. Liebermann, I, pp. 150–1; ed. and trans. Attenborough, pp. 128–9); V Æthelstan, c. 1.1 (ed. Liebermann, I, pp. 168–9; ed. and trans. Attenborough, pp. 152–3). Cf. the word *folcgemot* in University of Toronto, *Dictionary of Old English* (www.doe.utoronto.ca/); and J. Bosworth and T. N. Toller, *An Anglo-Saxon Dictionary*, with supplement by T. N. Toller, revised and enlarged by A. Campbell (London, 1972).

¹³ F. M. Stenton, *Preparatory to Anglo-Saxon England, Being the Collected Papers of Frank Merry Stenton*, ed. D. M. Stenton (Oxford, 1970), p. 30 n. 5.

¹⁴ Nightingale, ‘Origin of the Court of Husting’. This is the most developed historical argument of the Scandinavian connections of the Husting, but it is significantly preceded by philological discussion of the word’s Old Norse derivation: see (*inter alia*) W. W. Skeat, *An Etymological Dictionary of the English Language* (Oxford, 1879–82), s.v. *husting*; J. C. H. R. Steenstrup, *Normannerne* (Copenhagen, 1882), pp. 175–8. For other recent historical literature that develops this point, see Brooke and Keir, *London*, p. 249; Hudson, *History of the Laws*, p. 819; J. Blair, *Building Anglo-Saxon England* (Princeton, 2018), pp. 406–7.

1012.¹⁵ Whether this term was chosen because of its known Scandinavian derivation, because it simply denoted an indoors assembly, or because the incident took place in close proximity to London (where the archbishop's body was brought immediately after) is not clear. Peter Sawyer, however, had already noted that *husþing* was also entirely credible as an Old English word.¹⁶ An expert philological reading has since been provided by Sara Pons-Sanz. Her judicious comments lead to a much more equivocal conclusion. On the side of the Old Norse derivation is the fact that, in Old English, *þing* is a relatively rare term for a meeting. Yet it occurs quite widely in poetry and, significantly, in one of the seventh-century Kentish law-codes.¹⁷ *Þing* clearly never went away entirely in Old English, and the case for the origins of the word, and therefore the assembly it described, must rest on more than philological grounds alone.¹⁸

¹⁵ *Anglo-Saxon Chronicle* CDE 1012 (*English Historical Documents*, ed. Whitelock, p. 245). For the text of the relevant manuscripts, see *The Anglo-Saxon Chronicle: a Collaborative Edition. Vol. 5: MS. C*, ed. Katherine O'Brien O'Keeffe (Cambridge, 2001), p. 96 *The Anglo-Saxon Chronicle: a Collaborative Edition. Vol. 6: MS. D*, ed. G. P. Cubbin (Woodbridge, 1996), p. 57; *The Anglo-Saxon Chronicle: a Collaborative Edition. Vol. 7: MS. E*, ed. S. Irvine (Cambridge, 2004), p. 69.

¹⁶ P. Sawyer, 'Anglo-Scandinavian Trade in the Viking Age and After', in M. Blackburn (ed.), *Anglo-Saxon Monetary History: Essays in Memory of Michael Dolley* (Leicester, 1986), pp. 185–99, at p. 190. A much earlier note of caution was sounded in J. M. Lappenberg, *Geschichte von England*, 2 vols. (Hamburg, 1834–7), I, p. 614.

¹⁷ Hlothhere and Eadric, c. 8 (ed. Liebermann, I, pp. 10–11; ed. and trans. Attenborough, pp. 20–1).

¹⁸ S. Pons-Sanz, *The Lexical Effects of Anglo-Scandinavian Linguistic Contact on Old English* (Turnhout, 2013), pp. 82–4 and 175–7. See also A. Pantos, "'In Medle oððe an Þinge": the Old English Vocabulary of Assembly', in A. Pantos and S. Semple (eds.), *Assembly Places and Practices in Medieval Europe* (Dublin, 2004), pp. 181–201, at pp. 182–3; and E. G. Stanley, 'Two Old English Poetic Phrases Insufficiently Understood for Literary Criticism: *Þing Gehegan* and *Seonop Gehegan*', in D. G. Calder (ed.), *Old English Poetry: Essays in Style* (London, 1979), pp. 67–90.

No explicit references to the Folkmoot survive from before the twelfth century. In practice, if not in name, the institution might be visible in writs addressed to London under Edward the Confessor (1042–66), which were directed to the local bishop, portreeve and the citizens (*burhware*).¹⁹ The reference to the citizens implies a larger gathering, comparable to those of the shires (which were the usual recipients of writs),²⁰ though it cannot be ruled out that business relating to writs was handled by the smaller Husting. The latter is clearly attested in two pre-Conquest documents. Both refer to the Husting not as a judicial or administrative body, but as an arbiter of weights and measures. Notably, neither text actually comes from London itself, suggesting that at the time of writing the city's institutions already enjoyed a high reputation outside the city limits, especially in connection with precious metals.²¹ The later of these two documents, preserved at Christ Church Canterbury, presents few difficulties. It states that in the 1030s a piece of land in Orpington, Kent, was bought for 80 marks of 'white' (i.e. fine) silver 'according to the weight-standard of the Husting' (*be*

¹⁹ P. H. Sawyer, *Anglo-Saxon Charters: an Annotated List and Bibliography* (London, 1968) [hereafter 'S'], nos. 1096, 1103 and 1149–50 (F. E. Harmer, *Anglo-Saxon Writs* (Manchester, 1952), nos. 43, 51 and 105–6). S 1119 (Harmer, *Writs*, no. 75) is directed to the bishop, the staller and the *burgpeinges* of London.

²⁰ Harmer, *Writs*, pp. 54–7; R. Sharpe, 'The Use of Writs in the Eleventh Century', *Anglo-Saxon England*, 32 (2003), pp. 248–92, at pp. 248–50; S. Keynes, 'Church Councils, Royal Assemblies, and Anglo-Saxon Royal Diplomas', in G. R. Owen-Crocker and B. W. Schneider (eds.), *Kingship, Legislation and Power in Anglo-Saxon England* (Woodbridge, 2013), pp. 17–184, at pp. 136–7.

²¹ This may be connected with London's rapid rise to prominence as a national centre for minting and (possibly) tribute payment in the late tenth century: R. Naismith, 'London and its Mint c. 880–1066: a Preliminary Survey', *British Numismatic Journal*, 83 (2013), pp. 44–74; Naismith, *Citadel*, pp. 153–9. Rosamond Faith ('The Structure of the Market for Wool in Early Medieval Lincolnshire', *Economic History Review*, 65/2 (2012), pp. 674–700, at pp. 692–3) suggests that husting courts originated in London and elsewhere as a Scandinavian institution for settling trading disputes.

hustinges gewihte).²² This charter is the earliest generally accepted mention of the Husting. The other relevant document is a brief statement in the Ramsey *Liber benefactorum* of how one *Æthelgiva comitissa* had given two estates at *Stowe* and *Brunne* (Longstowe and Bourn, Cambridgeshire) to the abbey of Ramsey, along with a mark of gold and two silver vessels, each of 12 marks ‘by the standard of the Husting of London’ (*ad pondus hustingiae Londoniensis*).²³ This text is undated, but a separate set of obits from Ramsey notes the death in 985 of *Ethelgiva, uxor Ailwini secunda* (‘Æthelgifu, second wife of [Ealdorman] Æthelwine’) who gave Bourn and Longstowe to Ramsey, providing an apparent *terminus ante quem*. Like much of the material that surrounds it in this section of the *Liber benefactorum*, Æthelgifu’s donation is said to have been rendered from Old English into Latin. Insofar as one can judge from a Latin summary of a lost vernacular charter, there is nothing which would obviously contradict a late-tenth-century date. Use of marks (as opposed to pounds) at this time and location has been questioned, leading to the suggestion that these details – and the reference to the Husting – may be a later interpolation.²⁴ Yet the mark was widely known and used in eastern England in the mid-tenth century,²⁵ and in any case it is not clear that the mark as such was what the inhabitants of Cambridgeshire

²² S 1465 (*The Charters of Christ Church, Canterbury*, ed. N. P. Brooks and S. Kelly (Oxford, 2013), no. 153).

The document contains no date, and rubrics in different sources offer either 1032 or 1035.

²³ *Chronicon Abbatiae Ramesiensis a saec. X usque ad an. circiter 1200*, ed. W. D. Macray (London, 1886), p. 58 (no. 32). The collection was put together soon after 1160. For comments, see M. Lapidge, *Byrhtferth of Ramsey: the Lives of St Oswald and St Ecgbwine* (Oxford, 2009), p. xv.

²⁴ Nightingale, ‘Origin of the Court of Husting’, pp. 559–60. For a more cautious reading, see Stenton, *Preparatory*, p. 30 n. 2.

²⁵ See, for example, *Liber Eliensis*, II.18, 25 and 33 (ed. E. O. Blake (London, 1962), pp. 93–4, 98–9 and 107–8; *Liber Eliensis: a History of the Isle of Ely from the Seventh Century to the Twelfth*, trans. J. Fairweather (Woodbridge, 2005), pp. 117–18, 121–2 and 130–2) covering events in the mid-tenth century, including some figures also mentioned in Ramsey documentation.

measured by the London standard. To state the standard used for a payment was highly unusual in Anglo-Saxon England, and in other cases served to contextualize or qualify otherwise standard units of weight and account. Some charters from the later years of Æthelred II's reign (978–1016) thus refer to sums in pounds according to the weight of the Danes (who would themselves have used marks and oras at this time).²⁶ The point these charters made was that the metal handed over would form part of a tribute payment to the vikings, and therefore be judged according to a different standard of weight or fineness than that normally expected.²⁷ The writer of Æthelgifu's donation to Ramsey perhaps called on the Husting's standard for similar reasons.

The contours of London's government in the late tenth and eleventh centuries can be sketched as follows. A body known as the Husting was definitely in existence by the time of Cnut, and potentially by the early years of Æthelred II. At this point it was an authority of national standing on gold and silver, but probably had a wider remit within the city itself. In addition, a body analogous to the Folkmoot also may have appeared by the time of Edward the Confessor. It is not possible to go further back without turning to the early-tenth-century ordinance known as VI Æthelstan.

VI ÆTHELSTAN AND PEACEKEEPING AT LONDON IN THE EARLY TENTH CENTURY

²⁶ Cf. S 912 (*Charters of St Albans*, ed. J. Crick (Oxford, 2007), no. 11) (*ex appensione Danorum*) and S 919 (*Codex Diplomaticus Ævi Saxonici*, ed. J. M. Kemble, 6 vols (London, 1839–48), no. 725) (*iuxta magnum pondus Normannorum*).

²⁷ One is also reminded of the references in Domesday Book to pounds which had to be qualified as *ad numerum*, *de xx in ora* or *ad arsuram et pensum*. For present purposes it does not matter exactly what the difference was between these or how it arose; simply that not all pounds were alike. R. Naismith, *Medieval European Coinage, with a Catalogue of the Coins in the Fitzwilliam Museum, Cambridge. 8: Britain and Ireland c. 400–1066* (Cambridge, 2017), p. 365, with reference to the extensive further literature.

The earliest window onto London's infrastructure is one of the first detailed records of communal urban organisation in medieval Europe.²⁸ The text known to modern scholarship as VI Æthelstan is one of several local compositions produced in that king's reign as part of a dialogue between the king and regional assemblies,²⁹ and the only legal tract of the Anglo-Saxon period to have been produced by an urban community.³⁰

That community represented itself as a sworn collective. Sworn associations between peers, known as gilds (or guilds) and fraternities, were commonplace in early medieval Europe. They had a spontaneous, informal quality, and offered a combination of security and camaraderie to those outside the high elite, but these same qualities meant that gilds also presented the risk of conflicting loyalties, at least in the eyes of some rulers.³¹ England had many gilds in the tenth and eleventh centuries, some of which have left records of their rules and functions.³² These were quite different from the mercantile and craft-focused gilds of later times. The late Anglo-Saxon gilds were primarily social bodies, centred on shared religious devotion or common status, as with the 'gild of English *cnihtas*' which existed in

²⁸ Naismith, *Citadel*, pp. 132–9.

²⁹ Cf. III Æthelstan, which relates to the decrees of an assembly in Kent. On the nexus of royal and local interaction that played out through legal compositions under Æthelstan, see S. Keynes, 'Royal Government and the Written Word in Late Anglo-Saxon England', in R. McKitterick (ed.), *The Uses of Literacy in Early Medieval Europe* (Cambridge, 1990), pp. 226–57, at pp. 235–41; Pratt, 'Written Law'; Roach, 'Law Codes and Legal Norms'.

³⁰ At least part of IV Æthelred (ed. Liebermann, I, pp. 232–6; *The Laws of the Kings of England from Edmund to Henry I*, ed. and trans. A. J. Robertson (Cambridge, 1925), pp. 70–9) also stems from London, but its urban component is most likely a later composition, from between the Norman Conquest and about 1100: R. Naismith, 'The Laws of London? IV Æthelred in Context', *London Journal* (forthcoming).

³¹ G. Koziol, *The Peace of God* (Leeds, 2018), pp. 16–19; G. Althoff, *Verwandte, Freunde und Getreue: zum politischen Stellenwert der Gruppenbindungen im frühen Mittelalter* (Darmstadt, 1990), pp. 85–133.

³² *English Historical Documents*, trans. Whitelock, pp. 603–7 conveniently translates the four principal texts.

tenth- to twelfth-century London.³³ Their provisions focused on the reciprocal responsibilities of members, especially in the context of communal eating and drinking.³⁴

The ‘peace-gild’ of London was yet another different sort of organisation. In the first place, it seems to have been significantly larger. The contents of the other Anglo-Saxon gild statutes imply fairly small, intimate fellowships, and London’s gild of English *cnihtas* was said to have been formed by 13 men in the time of Edgar and dissolved by 15 members in the 1120s.³⁵ The ‘peace-gild’, in contrast, was broken down into units of ten and a hundred individuals, so must have counted at least 200 members, and conceivably a great many more.³⁶ Although clearly associated with London, members were not necessarily all resident in the city: the text opens by declaring that it applies to all those ‘who belong to London’ (*þe to Lundenbyrig hyrað*), among whom were multiple bishops, presumably meaning those who owned property in London as well as the bishop of London himself.³⁷ Its membership was drawn from a broad cross-section of London society. The text is introduced with the statement that it was drawn up by bishops and reeves, but ‘both nobles and commoners’ (*ge eorlisce ge ceorlisce*) are cited in the lines which follow. A later passage makes provision for those who could not afford horses and would stay in the city working on behalf of those who

³³ G. Rosser, ‘The Anglo-Saxon Gilds’, in J. Blair (ed.), *Minsters and Parish Churches: the Local Church in Transition 950–1200* (Oxford, 1988), pp. 31–4.

³⁴ A. Gautier, ‘Discours égalitaire et pratiques hiérarchiques dans les guildes anglo-saxonnes’, in F. Bougard, D. Iogna-Prat and R. Le Jan (eds.), *Hiérarchie et stratification sociale dans l’occident médiéval (400–1100)* (Turnhout, 2009), pp. 343–61.

³⁵ Naismith, *Citadel*, pp. 162–3; S. E. Kelly, *Charters of St Paul’s, London* (Oxford, 2004), pp. 216–19.

³⁶ VI Æthelstan, c. 3 (ed. Liebermann, I, p. 175; ed. and trans. Attenborough, pp. 158–9).

³⁷ Liebermann, *Gesetze*, II, p. 116. On the bishop of London’s possible role in producing the text, see H. Loyn, *Society and Peoples: Studies in the History of England and Wales, c. 600–1200* (London, 1992), pp. 118–19.

went off in pursuit of wrongdoers.³⁸ Women were counted as members too, and ‘poor widows’ (*earmre wudewan*) were exempt from the annual dues of 4d per head.³⁹ The overall impression is that the organisation could have embraced a large proportion of the free population of the city and its surroundings.

The ‘peace’ (*frið*) they were concerned with meant more than the absence of disorder: it implied a state that had to be actively worked towards, often prompted by some sort of specific wrong or defect which needed to be corrected, such as basic respect for individual and group rights. Disregard of property rights constituted an egregious challenge to these basic tenets of Anglo-Saxon society;⁴⁰ one which loomed especially large in the legislation of Æthelstan, becoming (in Patrick Wormald’s words) ‘almost an obsession’.⁴¹ This was the background against which the framers of VI Æthelstan established what amount to a self-help system for seeking redress in case of theft. They probably began at a judicial level. Anglo-Saxon courts depended more on consensus than official constitution by a higher authority, meaning that any assembly could be used as a forum for hearing cases and disputes.⁴² Hence it would be in no way exceptional, or exceptionable, for the Londoners, or the conglomerate of their sworn associations, to condemn wrongdoers and then to assign punishment or to

³⁸ VI Æthelstan, c. 5 (ed. Liebermann, I, p. 176; ed. and trans. Attenborough, pp. 160–1).

³⁹ VI Æthelstan, c. 2 (ed. Liebermann, I, pp. 174–5; ed. and trans. Attenborough, pp. 158–9).

⁴⁰ Pratt, ‘Written Law’, p. 337; T. Lambert, *Law & Order in Anglo-Saxon England* (Oxford, 2017), pp. 207–10.

See more generally P. J. E. Kershaw, *Peaceful Kings: Peace, Power, and the Early Medieval Political Imagination* (Oxford, 2011), esp. pp. 29–74; T. Renna, ‘The Idea of Peace in the West’, *Journal of Medieval History*, 6 (1980), pp. 143–67.

⁴¹ P. Wormald, *The Making of English Law: King Alfred to the Twelfth Century. Volume I: Legislation and its Limits* (Oxford, 1999), pp. 299 and 305–6; Pratt, ‘Written Law’, pp. 334–41; S. Foot, *Æthelstan: the First King of England* (New Haven, 2011), pp. 140–6; Lambert, *Law & Order*, pp. 174–7.

⁴² Hudson, *History*, pp. 43–65.

mediate redress. There is good evidence that somehow they did so. The opening clauses of VI Æthelstan discuss how a thief would be dealt with whom ‘we find guilty according to the public law’,⁴³ and a later passage concedes that ‘those who cannot be proved guilty on the spot’ should be incarcerated,⁴⁴ while a list of indemnities offered for various kinds of livestock suggests a degree of routinisation in handling this kind of theft.⁴⁵ But the principal interest of the composer of VI Æthelstan was in what would happen subsequently, when dealing with an infraction committed by someone who needed to be apprehended. The bulk of the text concerns the pursuit of thieves outside the city, beyond a set of northern and southern boundaries enclosing an unspecified area.⁴⁶ If the Londoners encountered resistance from a thief and their kin, the ordinance arranged for reinforcements to be sent;⁴⁷ and if the Londoners caught up with their quarry, whoever actually killed the thief would earn a reward of twelve pence from the common funds.⁴⁸

⁴³ *Bone þe we on folcrist geaxian*. VI Æthelstan, c. 1.1 (ed. Liebermann, I, p. 173; ed. and trans. Attenborough, pp. 156–7).

⁴⁴ VI Æthelstan, c. 9 (ed. Liebermann, I, p. 181; ed. and trans. Attenborough, pp. 166–7).

⁴⁵ VI Æthelstan, c. 6.1–2 (ed. Liebermann, I, p. 176; ed. and trans. Attenborough, pp. 160–1).

⁴⁶ VI Æthelstan, c. 5 and 8.4 (ed. Liebermann, I, pp. 176 and 179; ed. and trans. Attenborough, pp. 160–1 and 164–5). Views on what this area might have been are conveniently assembled in P. Taylor, ‘Boundaries and Margins: Barnet, Finchley and Totteridge’, in M. J. Franklin and C. Harper-Bill (eds.), *Medieval Ecclesiastical Studies in Honour of Dorothy M. Owen* (Woodbridge, 1995), pp. 259–79, esp. pp. 277–8. Taylor observes that the area may have been relatively small, and that the references just to northern and southern boundaries could be formulaic, meaning essentially ‘in any direction’. Middlesex is most likely, or a part of it; perhaps some or all of the area later known as Ossulstone hundred, with its meeting-place on the Tyburn (O. S. Anderson, *The English Hundred Names*, 3 vols. (Lund, 1934–9), III, pp. 54–5).

⁴⁷ VI Æthelstan, c. 7.2 (ed. Liebermann, I, pp. 177–8; ed. and trans. Attenborough, pp. 162–3).

⁴⁸ VI Æthelstan, c. 7 (ed. Liebermann, I, pp. 177–8; ed. and trans. Attenborough, pp. 162–3).

The image of vengeful Londoners hunting for stolen cattle, sheep and pigs across southeast England finds parallels in other Anglo-Saxon legislation,⁴⁹ but might seem at odds with the interests expected of an urban community. Trade, minting and other typically urban concerns of Anglo-Saxon law do not feature in VI Æthelstan.⁵⁰ It is true that London was at this time still a place of relatively limited size and scope, the inhabitants of which would be involved in cultivating crops and animals as well as commerce; nonetheless, it remained one of the principal towns of the kingdom, and other sources leave no doubt that it did support minting and markets.⁵¹ Rather, the reason VI Æthelstan has so little specifically ‘urban’ content is because its remit was how the Londoners dealt with others, and the groups they expected to come into conflict with were more rural than urban. Adversaries in those clashes could be dangerous: VI Æthelstan envisaged resistance from strong and powerful (*to þan strang ... and to þam mycel*) kin-groups (*mægð*) of either 1200- or 200-shilling wergild men (i.e. high- or low-status).⁵² The Londoners’ concern about forming a united front against belligerent neighbours was by no means an idle one. Disputes in tenth-century England could be bitter, violent, long-lasting and infectious.⁵³ Faced with quarrels that could easily turn to

⁴⁹ See for example II Edward (ed. Liebermann, I, pp. 142–5; ed. and trans. Attenborough, pp. 118–21).

⁵⁰ E. Screen, ‘Anglo-Saxon Law and Numismatics: a Reassessment in the Light of Patrick Wormald’s *The Making of English Law*’, *British Numismatic Journal*, 77 (2007), pp. 150–72, esp. pp. 164–70.

⁵¹ Blair, *Building*, pp. 337–50; Naismith, *Citadel*, pp. 125–40.

⁵² VI Æthelstan, c. 8.2 (ed. Liebermann, I, p. 178; ed. and trans. Attenborough, pp. 162–3); cf. III Æthelstan, c. 6 (ed. Liebermann, I, p. 170; ed. and trans. Attenborough, pp. 144–5) for men with such wealth and powerful connections that they were beyond punishment, save through forcible relocation by the king.

⁵³ G. Molyneux, *The Formation of the English Kingdom in the Tenth Century* (Oxford, 2015), pp. 68–77; J. Hudson, ‘Feud, Vengeance and Violence in England from the Tenth to the Twelfth Centuries’, in B. S. Tuten and T. L. Billado (eds.), *Feud, Violence and Practice: Essays in Medieval Studies in Honor of Stephen D. White* (Farnham, 2010), pp. 29–54, at pp. 29–41; P. Stafford, ‘King and Kin, Lord and Community: England in the

blows and pillage, most damaging to those with weaker resources and support, London's population was precisely the sort of group that would have benefited from asserting its collective weight.

That the people of the city set up sworn compacts to uphold their position *vis à vis* neighbouring groups says a great deal about London's establishment as a coherent force. At the time VI Æthelstan was set down, extensive habitation within the walled city of London would only have been a few decades old. In relative terms it was quite a new community, without the deep-seated allegiance and mutual dependence that other social networks based on kinship or lordship might have. For this reason the peace-gild sought to cultivate a one for all and all for one attitude in its members, with the pledge that 'whoever it be whose hands avenge wrongs done to us all, we shall all stand together, both in friendship and in enmity – whichever may result'.⁵⁴ But VI Æthelstan poses two related puzzles. One is the lack of evidence on how the Londoners fared in practice, especially if they came up against any of the powerful and uncooperative kin-groups that were envisaged as potential opponents. The other is the complete absence of references to the 'peace-gild' beyond VI Æthelstan. On the face of it, the organisation could have been simply a paper tiger, created as a temporary expedient,⁵⁵ and not in fact capable of standing up to any challenge. Its swift retreat into obscurity could be set alongside the apparent demise of several other late Anglo-Saxon gilds that are also never heard from again beyond their statutes.⁵⁶ But the disappearance of the

Tenth and Eleventh Centuries', in her *Gender, Family and the Legitimation of Power: England from the Ninth to Early Twelfth Century* (Aldershot, 2006), VIII, pp. 1–33.

⁵⁴ ... *Dyde dæda se þe dyde þæt ure ealra teonan wræce þæt we wæron ealle swa on anum freondscype swa on anum feondscype, swa hwæðer hit þonne wære.* VI Æthelstan, c. 7 (ed. Liebermann, I, pp. 177–8; ed. and trans. Attenborough, pp. 162–3).

⁵⁵ Taylor, 'Boundaries', p. 278.

⁵⁶ The main exception was also a London entity: the gild of English *cnihtas*. See X-REF.

‘peace-gild’ and the security it was supposed to guarantee would have left a much larger, more vulnerable gap. Some mechanism for doing the same jobs very likely did persist, perhaps in a different guise.

VI ÆTHELSTAN AND THE GOVERNMENT OF LONDON

The proposition made here is that what underlies VI Æthelstan were important aspects of the system of governance which prevailed in London by the late tenth and eleventh century. The city probably already had a portreeve. This term does not occur in VI Æthelstan, yet reeves figure prominently in the preface and in the final four numbered chapters, which seem to constitute a suite of additions made in light of later royal pronouncements.⁵⁷ One of these additions concerns a command that within their districts reeves fulfil the decrees of a series of legal meetings. Two named men relayed this instruction from an assembly at Thunderfield, Surrey, to London. The context suggests that these men themselves were reeves.⁵⁸

Other elements of London’s governance and protection are explored more clearly in VI Æthelstan. The units of ten and a hundred individuals each had a representative responsible for the others, and the text stipulates that these leaders were to gather regularly to discuss the business of the gild. This more streamlined body was in some ways closer to the

⁵⁷ VI Æthelstan, c. 9–12 (ed. Liebermann, I, pp. 181–3; ed. and trans. Attenborough, pp. 167–9). Keynes, ‘Royal Government’, pp. 239–40; Roach, ‘Law Codes’, pp. 475–6.

⁵⁸ Keynes, ‘Royal Government’, pp. 239–40; though cf. Wormald, *Making*, p. 298 for a different view. It is possible that the two reeves represent London and Middlesex. The special relationship between the town and shire was of long standing (Taylor, ‘Boundaries’, p. 264), and in the mid-eleventh century one portreeve of London seemingly also held the office of sheriff of Middlesex: S 1103 (?), 1119 and 1121 (*Writs*, ed. Harmer, nos. 51, 75 and 77). By the twelfth century the shrievalties of London and Middlesex were closely bound together: the relationship between them was formalized by Henry I and Stephen (Brooke, Keir and Reynolds, ‘Charter’, p. 575).

other late Anglo-Saxon gilds. It met once per month, with a preference for a time when drink was plentiful: ‘when the butts [of wine] are being filled’ (*mid byttfyllinge*). Moreover, twelve men would then retire for dinner together.⁵⁹ It is not clear whether these twelve were identical with the representatives of the tens and hundreds, or an inner circle among them. In any case, business and pleasure mixed closely in such settings. It was the norm in the early Middle Ages for weighty matters to be considered over food and drink.⁶⁰ In this instance, drinks followed by dinner provided a forum in which the leading citizens of London could extend their discussion of key issues.

This regular dinner party would have played a vital element in running the city, and a precursor to the Court of Husting. It was the norm for higher-status meals to be taken indoors,⁶¹ and indeed the first identifiable meeting of the Husting took place in a private house, belonging to Alfwin son of Leofstan.⁶² Regardless of whether the name goes back to the age of VI Æthelstan or was coined in the milieu of Scandinavian settlers, the small-scale, social setting may well have been the background that commended the word *husþing*. The monthly timetable the diners followed perhaps derived from, or reflected the same background as, a law of Edward the Elder that stipulated that reeves should hold meetings for whatever unit they oversaw once a month.⁶³ The Husting’s more frequent gatherings in later

⁵⁹ VI Æthelstan, c. 8.1 (ed. Liebermann, I, p. 178; ed. and trans. Attenborough, pp. 162–3).

⁶⁰ D. A. Bullough, *Friends, Neighbours and Fellow-Drinkers: Aspects of Community and Conflict in the Early Medieval West* (Cambridge, 1991); G. Althoff, *Family, Friends and Followers: Political and Social Bonds in Early Medieval Europe*, trans. C. Carroll (Cambridge, 1990), pp. 152–9.

⁶¹ A. Gautier, *Le festin dans l’Angleterre anglo-saxonne* (Rennes, 2006), pp. 119–85. I am also grateful to Debby Banham and Alban Gautier for advice on this point.

⁶² *English Lawsuits*, ed. van Caenegem, no. 270.

⁶³ II Edward 8 (ed. Liebermann, I, pp. 144–5; ed. and trans. Attenborough, pp. 120–1). James Tait (*The Medieval English Borough: Studies on its Origins and Constitutional History* (Manchester, 1936), pp. 62–3)

times reflect the demand generated by London's enlarged size and business: a problem which only got more severe with time. By the twelfth century the Husting's meetings had become weekly rather than monthly, and by the latter part of that century even this agenda was coming under pressure due to the volume of its activity.⁶⁴

There is no explicit provision for a meeting of the members of all the tens and hundreds as a whole, though such a gathering would have been more or less identical with an assembly of the city's population and associated districts at which the oaths, trials and ordeals presumed by VI Æthelstan might have taken place.⁶⁵ Other gild statutes required general meetings, in one case three times per year.⁶⁶ This is the same number of meetings as Edgar (and later Cnut) stipulated for a town court (*buruhgemot*),⁶⁷ and as London's Folkmoot had by around 1200. The generic name of the Folkmoot suggests that in some form it preceded Edgar's legislation for town courts. But in the time of Æthelstan London's general assembly may have been a less structured entity, or simply one that did not need to be explained within the framework of VI Æthelstan.

A third element of London's later infrastructure, the wards or internal divisions headed by alderman, was well established by the early twelfth century, but has a less clear

saw the hundred court as the dominant influence on urban government, albeit with London as a possible exception.

⁶⁴ It was for this reason that the Husting was gradually superseded: Brooke and Keir, *London*, p. 251; C. M. Barron, *London in the Later Middle Ages: Government and People, 1200–1500* (Oxford, 2004), pp. 127–9 and 154–6. Cf. Tait, *Medieval English Borough*, pp. 62–3.

⁶⁵ VI Æthelstan, pref, c. 1.1, 1.4, 3, 8.5–6 and 9 (ed. Liebermann, I, pp. 173–5 and 179–81; ed. and trans. Attenborough, pp. 156–9 and 164–7). See above, xxx.

⁶⁶ *English Historical Documents*, trans. Whitelock, no. 137 (Exeter).

⁶⁷ III Edgar, c. 5–5.2 (ed. Liebermann, I, pp. 202–3; *The Laws of the Kings of England from Edmund to Henry I*, ed. and trans. A. J. Robertson (Cambridge, 1925), pp. 26–7); II Cnut, c. 18 (ed. Liebermann, I, pp. 320–1; ed. and trans. Robertson, pp. 182–3).

early history. A survey of properties owned by St Paul's, carried out between 1123 and 1132, refers to at least 20 *wardae*, and it is possible that the full complement of 24 into which London was divided before 1394 already existed.⁶⁸ By this time certain wards were identified with sokes, or areas of jurisdiction thought to go back to the loose rights that attached to large-scale Anglo-Saxon landholders.⁶⁹ At least some of London's wards probably originated in this way. The clearest case is that of Portsoken, immediately outside the eastern walls of the city, which represents the tenth- and eleventh-century soke of the gild of English *cnihhtas*. Their rights and properties were later vested in the priory of Holy Trinity Aldgate, the parish of which was coterminous with the ward.⁷⁰ What is not known is whether Portsoken was an early or late addition to the complement, or representative of how all wards coalesced elsewhere in the city;⁷¹ at best it is suggestive of the way in which jurisdictional, social, ecclesiastical and military interests could coagulate and solidify over time to form a ward.

⁶⁸ H. W. C. Davis, 'London Lands and Liberties of St. Paul's, 1066–1135', in A. G. Little and F. M. Powicke (eds.), *Essays in Medieval History Presented to Thomas Frederick Tout* (Manchester, 1925), pp. 45–59. 17 wards were named with reference to the alderman, 3 in another way; 3 other divisions were also named, one of which was probably not a ward (*vicus Judeorum*), but other two could have been.

⁶⁹ Ibid., pp. 48–9; W. Page, *London: its Origin and Early Development* (London, 1923), pp. 173–8; G. Milne, *Excavations at Medieval Cripplegate, London: Archaeology after the Blitz, 1946–68* (London, 2001), pp. 129–31; Haslam, 'Development of London', pp. 120–2. For the general definition and functions of sokes, see S. Baxter, *The Earls of Mercia: Lordship and Power in Late Anglo-Saxon England* (Oxford, 2007), pp. 210–11 and 258–61.

⁷⁰ Brooke and Keir, *London*, pp. 96–9 and 145–7; J. Haslam, 'Parishes, Churches, Wards and Gates in Eastern London', in Blair (ed.), *Minsters and Parish Churches*, pp. 35–43. See also Kelly, *Charters of St Paul's*, pp. 216–19.

⁷¹ Brooke and Keir, *London*, p. 170 argued that Portsoken's formation provided a *terminus post quem* for the wards, while Haslam, 'Parishes', saw it as a later addition to an essentially late-ninth-century scheme.

The hundreds and tens of VI Æthelstan might have been one component in this process of creating the structures by which London was to be governed. Like the origins of the wards, those of the hundreds and tens are obscure. They could have applied to the population within the city only, or to those ‘who belong to London’ within a larger district. From the context in which they appear they sound more like actual groups of ten or a hundred individuals than fixed territorial units: for this reason they should probably not be equated with the often much larger hundreds of rural areas,⁷² such as those of Middlesex.⁷³ VI Æthelstan’s hundreds should be seen as a local innovation from an era in the early tenth century when kings encouraged peacekeeping on the basis of local initiative, but did not stipulate what form the results should take.⁷⁴ London’s efforts were part of a tendency for towns or fortresses to figure prominently in local government and justice under Edward the Elder and Æthelstan, in this case with the addition of a more granular level of organisation;⁷⁵ one that may have had an influence on the structure and terminology of local government in

⁷² H. R. Loyn, ‘The Hundred in England in the Tenth and Eleventh Centuries’, in H. Hearder and H. R. Loyn (eds.), *British Government and Administration: Studies Presented to S. B. Chrimes* (Cardiff, 1974), pp. 1–15; Molyneaux, *Formation*, pp. 141–55; Lambert, *Law & Order*, pp. 243–50 and 289–93.

⁷³ Pamela Taylor, ‘Eadulfington, Edmonton, and their Contexts’, in D. Roffe (ed.), *The English and their Legacy: Essays in Honour of Ann Williams* (Woodbridge, 2012), pp. 95–114, at pp. 108–9; J. Campbell, *The Anglo-Saxon State* (London and New York, 2000), p. 4; T. G. Pinder, ‘Domesday Survey: Introduction’, in J. S. Cockburn, H. P. F. King and K. G. T. McDonnell (eds.), *The Victoria County History of Middlesex. Volume 1* (London, 1969), pp. 80–118, at pp. 80–8, all with reference to the extensive earlier literature on Middlesex’s hundreds.

⁷⁴ Molyneaux, *Formation*, pp. 113–14; Roach, ‘Law Codes and Legal Norms’, pp. 468–77; Keynes, ‘Royal Government’, pp. 234–44.

⁷⁵ Molyneaux, *Formation*, pp. 106–9 and 153–5; Lambert, *Law & Order*, pp. 244–7; G. Williams, ‘Military and Non-Military Functions of the Anglo-Saxon Burh, c. 878–978’, in J. Baker, S. J. Brookes and A. Reynolds (eds.), *Landscapes of Defence in Early Medieval Europe* (Turnhout, 2013), pp. 129–63, at pp. 141–3.

England more widely.⁷⁶ The adoption of hundreds in rural areas, including the small shire surrounding London, could have been one reason the city differentiated itself organisationally from the encircling territory, especially as it grew in size and complexity and also took on greater national prominence in the late tenth and eleventh centuries.

Whether the change was one of substance or name is unclear. No direct relationship can be identified between VI Æthelstan's hundreds and the later wards, but in terms of function, if not name, the two had much in common. Both were sub-units of London with responsibility for peacekeeping, and each had a prominent leader.⁷⁷ The name 'ward' (Old English *weard*) implies an original concern with peacekeeping and defence,⁷⁸ and some of London's wards could have come into being as districts assigned specifically for these purposes, especially the larger ones facing the gates and walls.⁷⁹ Yet it is unlikely that either the wards or the hundreds of VI Æthelstan sprang into being *ex nihilo* as a result of a single cause or event. Such units worked most effectively if they went with the grain of social organisation rather than cut across it. Like Portsoken, they most likely built on pre-existing

⁷⁶ For VI Æthelstan as a possible model for later hundreds, see Molyneaux, *Formation*, pp. 149–50; Lambert, *Law & Order*, pp. 243–50.

⁷⁷ D. Roffe, *Decoding Domesday* (Woodbridge, 2007), pp. 135–6. Stenton (*Preparatory*, p. 29) also emphasises the military dimension of the wards.

⁷⁸ Bosworth and Toller, *Anglo-Saxon Dictionary*, s.v. *weard*. It is not clear if the term originated in London, however: Domesday Book notes that Cambridge and Stamford had ten and six wards (described in Latin as *custodiae*) respectively, while Huntingdon was divided into quarters (*ferdingis*) and York into seven 'shires' (*scyræ*). Kew, The National Archives E 31/2/1–2 ('Great' Domesday Book), f. 189r, 203r, 298r and 336v: see A. Williams and G. H. Martin, *Domesday Book: a Complete Translation* (London, 2002), pp. 519, 551, 785 and 883.

⁷⁹ D. Roffe, *Decoding Domesday* (Woodbridge, 2007), pp. 136 suggests a link between roads or gates and wards in Huntingdon and Stamford, based on later material. At London, this may suggest an early date for the larger outer wards facing the walls and its gates.

bonds including lordship, landholding, ecclesiastical organisation, military obligation and kinship as well as location. Hundreds and wards might have served to combine, consolidate and reify those structures, potentially perpetuating them as administrative fossils. London probably went through many iterations of this process, with relics of past structures and developments layered on top of one another as they assumed new names and roles.⁸⁰ In this way the hundreds of VI Æthelstan may well have contributed to the early formation of some of the structures that would eventually emerge as wards.

CONCLUSION

If the Husting, Folkmoot and at least some of the wards do go back to the age of VI Æthelstan, it was under different names and with less formalized functions. The move towards more defined, concrete infrastructure in the city accompanied the rapid expansion of London from the late tenth century onwards,⁸¹ its *de facto* detachment from Middlesex and its strengthening association with increasingly ambitious and intrusive royal government.⁸² While *sui generis* in so many ways, this aspect of its development can usefully be set alongside other long-established towns in England. Several of these urban communities also had very old traditions of local organisation that persisted into the eleventh century. Change was often a matter of name, scale and configuration, leaving in place core elements of

⁸⁰ Many rural hundreds could have evolved in this way: Molyneaux, *Formation*, pp. 146–7; P. Wormald, *Papers Preparatory to the Making of English Law: King Alfred to the Twelfth Century. Volume II: from God's Law to Common Law*, ed. S. Baxter and J. Hudson (London, 2014), pp. 196–7; N. Brooks, 'Alfredian Government: the West Saxon Inheritance', in Reuter (ed.), *Alfred the Great*, pp. 153–74, at pp. 162–73.

⁸¹ Naismith, *Citadel*, pp. 141–81.

⁸² A case made most vigorously in recent scholarship by Molyneaux, *Formation*; see also J. Campbell, *The Anglo-Saxon State* (London, 2000).

collective organisation and royal representation.⁸³ Canterbury provides a particularly worthwhile comparison. The city possessed a set of representative bodies whose origins went back to the mid-ninth century; some of these bodies still existed in the tenth century, operating alongside a port-reeve, and they continued to characterise the organisation of the city into the eleventh.⁸⁴ London underwent a more radical change than Canterbury in the late ninth century, meaning that the age of Alfred is the earliest likely horizon for its major institutions. In the generations that followed Alfred's death, the city was still finding its feet and establishing a niche in the surrounding region.

Parallels can also be drawn between London and towns in other regions of medieval Europe in the two-hundred years between the mid-ninth and the mid-eleventh centuries, where quasi-formal organisations gradually assumed legitimacy, often taking on new names and trappings while performing essentially the same functions as they had done in earlier times.⁸⁵ These circumstances offer a possible reason for the peace-gild's apparent

⁸³ On *burh*- and port-reeves C. Cubitt, "As the Lawbook Teaches": Reeves, Lawbooks and Urban Life in the Anonymous Old English Legend of the Seven Sleepers', *English Historical Review*, 124 (2009), pp. 1021–49.

⁸⁴ Compare S 1199 (*Christ Church, Canterbury*, ed. Brooks and Kelly, no. 87), datable to 858×865, which names five distinct bodies into which the population was divided. Three of these groups still survived in the mid-tenth century, when they were referred to as the *preo geferscipas* ('three fellowships'): S 1506 and 1215 (*Christ Church, Canterbury*, ed. Brooks and Kelly, nos. 121 and 128). Two of these, the *innan* and *utan burgware* (i.e. inner and outer town-dwellers), lent their names to the *manig god mann ægðer ge binnan byrig ge buton* ('many good men, both within the town and outside [it]') who attest S 1400 (*Christ Church, Canterbury*, ed. Brooks and Kelly, no. 172), of 1048×1050. For discussion see N. P. Brooks, *The Early History of the Church of Canterbury: Christchurch from 597–1066* (Leicester, 1984), pp. 27–33; Blair, *Building*, pp. 258 and 269–74.

⁸⁵ M. Weber, *The City*, ed. and trans. D. Martindale and G. Neuwirth (New York, 1958), pp. 107–10; S. Reynolds, *Kingdoms and Communities in Western Europe, 900–1300*, 2nd ed. (Oxford, 1997), p. 167; O. G. Oexle, *Die Wirklichkeit und das Wissen: Mittelalterforschung, historische Kulturwissenschaft, Geschichte und*

disappearance after VI Æthelstan. Although the peace-gild is customarily referred to as a singular, and evidently was expected to work as a unit, the words VI Æthelstan uses for the organisation as a whole are in the plural. They might be read, therefore, as descriptive, applying not to an organisation that was thought of as a single gild, but to what an ensemble of courts, hundreds, tens and other associations actually did, in the service of a ‘common benefit’ (*gemæne þearf*).⁸⁶ Context may have been important here. The ordinances of VI Æthelstan are a report on local arrangements for the king’s approval and, by extension, his support.⁸⁷ By focusing on function and the language of sworn associations, the Londoners framed their local institutions in general terms most consonant with the king’s current

Theorie der historischen Erkenntnis, ed. A. von Hülsen-Esch, B. Jussen and F. Rexroth (Göttingen, 2011), pp. 496–594; C. Wickham, *Sleepwalking into a New World: the Emergence of Italian City Communes in the Twelfth Century* (Princeton, 2015), pp. 5–6 and 18–19 and ‘The “Feudal Revolution” and the Origins of Italian City Communes’, *Transactions of the Royal Historical Society*, 24 (2014), pp. 29–55.

⁸⁶ VI Æthelstan, preface (*urum friðgegyldum*), 2 (*gemæne þearfe*), 8.6 (*urum gegyldscipum*), 8.9 (*urum friðgildum*) (ed. Liebermann, I, pp. 173–4 and 180; ed. and trans. Attenborough, pp. 156–9 and 164–5). Liebermann (*Gesetze*, III, p. 117 and ‘Einleitung zum Statut der Londoner Friedensgilde unter Aethelstan’, in *Mélanges Hermann Fitting*, 2 vols. (Montpellier, 1907–8), II, pp. 77–103, at pp. 87–90) explained this as a collective plural signifying the multiple gild-members, though this is less likely for *gyldscipum*, and other references to tenth- and eleventh-century gilds generally use the singular when referring to the organisation itself (cf. *Diplomatarium Anglicum Aevi Saxonici: a Collection of English Charters*, ed. B. Thorpe (London, 1865), pp. 605–17). For further discussion, reaching similar conclusions, see K. S. Grinda, ‘Altenglisch (*ge*)gilda, (*ge*)gildscipe, (*ge*)gild(e): Zu den Bezeichnungen für “Gilde” und “Gildemitglied” in vornormannischen Quellen’, in H. Jankuhn (ed.), *Das Handwerk in vor- und frühgeschichtlicher Zeit. Bericht über die Kolloquien der Kommission für die Altertumskunde Mittel- u. Nordeuropas in den Jahren 1977–1980*, 2 vols (Göttingen, 1981–3), I, pp. 370–98, at pp. 375–9.

⁸⁷ In some respects the text particularly supports royal interests, for instance with reference to confiscated goods: Lambert, *Law & Order*, pp. 331–2.

concerns.⁸⁸ *The* peace-gild (singular) never reappeared because it perhaps never existed in the first place, and was simply a functional way of describing the collaboration of a plurality of London-based associations to create what the king wanted; that is, a body whose focus was keeping of the peace. As the city and its role changed, the component elements of the ‘peace gild’ gave rise to institutions that were more discrete in both identity and function, yet still carried – and in some cases still carry – the hallmarks of their development within a looser, less formal communal association. The ordinances of the London peace-gilds represent the beginning of London as a distinct and coherent community which looked to the king for legitimacy and support, and the effective foundation of its system of government.

⁸⁸ For Æthelstan’s wider concern with theft, see above, n. xxx.